

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:     PATRICK EUGENE KLING     WENDY  
              MARIE KLING

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE

Movant

CASE NO: 1-20-00762-HWV

vs.

PATRICK EUGENE KLING     WENDY  
MARIE KLING

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on August 21, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1.    A Plan was filed on February 28, 2020.
2.    A hearing was held and an Order was entered on May 27, 2020 directing that an amended plan be filed within sixty (60) days.
3.    As of the date of this Motion, an amended plan has not been filed.
4.    The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ James K. Jones, Esq.

Id: 39031

Attorney for Trustee

Charles J. DeHart, III

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive

Hummelstown, PA 17036

Ph. 717-566-6097

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WENDY MARIE KLING

CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 1-20-00762-HWV

**NOTICE**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg  
Bankruptcy Courtroom, 3rd Floor  
228 Walnut Street  
Harrisburg, PA 17101

Date: September 23, 2020

Time: 09:35 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

Dated: August 21, 2020

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IN RE: PATRICK EUGENE KLING  
WENDY MARIE KLING

Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE

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PATRICK EUGENE KLING  
WENDY MARIE KLING

CASE NO: 1-20-00762-HWV

Respondent(s)

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on August 21, 2020, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail, unless served electronically.

PAUL MURPHY-AHLES ESQUIRE  
DETHLEFS, PYKOSH & MURPHY  
2132 MARKET STREET  
CAMP HILL, PA 17011-

Served electronically

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served electronically

PATRICK EUGENE KLING  
119 EVERGREEN STREET  
HUMMELSTOWN, PA 17036

Served by 1<sup>st</sup> Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: August 21, 2020

Respectfully,  
Vickie Williams  
for Charles J. DeHart, III, Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
eMail: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

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Debtor(s)  
CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
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Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.